



PATENT

THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re: Horiuchi et al. COPY OF PAPERS
Serial No.: 09/881,005 ORIGINALLY FILED
Filed: June 14, 2001
Title: MULTI-LAYERED SEMICONDUCTOR
DEVICE AND METHOD FOR
PRODUCING THE SAME

Examiner: Patricia M. Costanzo
Atty Doc. No. 149-01

Certificate of Mailing

DATE OF DEPOSIT: May 1, 2002
I HEREBY CERTIFY THAT THIS PAPER IS BEING
DEPOSITED WITH THE UNITED STATES POST
OFFICE UNDER 37 C.F.R. § 1.8 ON THE DATE
INDICATED ABOVE AND IS ADDRESSED TO THE
COMMISSIONER OF PATENTS, WASHINGTON,
D.C. 20231.

NAME OF PERSON MAILING PAPER OR FEE

Sharon D'Agostino
Sharon D'Agostino

Commissioner of Patents
Washington, DC 20231

Response to Restriction/Election Requirement

Dear Sir:

This is in response to the office action dated March 26, 2002 having one-
month statutory period for response set to expire on April 26, 2002. This response is
being filed with a petition for a one-month extension of time thereby setting the
response period to May 26, 2002.

Remarks

Applicant hereby elects, with traverse, the claims of Group I (claims 1 – 5 and
11 -16) for prosecution on the merits to fulfill the requirement of election pursuant to
37 U.S.C. § 1.143. This election should in no way prejudice Applicant's right to
pursue the subject matter in Group II (claims 6 and 17), in a divisional application if
the restriction requirement is not withdrawn.

Applicant respectfully but strenuously traverses the restriction requirement in
the application. A search performed addressing the elected claims would inevitably

45
Election
FJOWES

5-13-02

TECHNOLOGY CENTER 2800

MAY 13 2002

RECEIVED